UNITED STATES DISTRIST COURT
FOR THE MIDDLE DISTRIST OF PENNSYLVANIA

MICHAEL HAMMOND
PLAINTIFF

Vs.

B.A. BLEDSOE, et al.,
DEFENDANTS

Case No. 3:12-CV-242

FILED
SCRANTON
FEB 29 2012
PER DEPUTY CLERK

MOTION FOR AN EMERGENCY TEMPORARY RESTRAINING ORDER

COMES NOW MICHAEL HAMMOND THE PLAINTIFF PRO SE and Respectfully moves The COURT TO a RESTRAINING ORDER Against All the Defendants that are name in this case. Plaintiff Life is in Real Danger at the hands of the Federal Bureau of Prison employees. Such RESTRAINING ORDER is necessary and should be GRATED TO PREVENT PRISON officials From continuing to Retaliate against Plaintiff or even Killing Plaintiff and Justifing it. THE COURT SHOULD RESPECTFully PROTECT THE Plaintiff in this case by all means...

FACTS

The Plaintiff respectfully filed his civil Lawsuit in court on February 10, 2012 against Prison staff. The Plaintiff has filed a number of sensitive complaints to the Regional Director for the Federal Bureau of Prisons, seeking Protections from all the Defendants that are name in this civil complaint, as it jeopardizes the safety, security or orderly operations of the institution for staff and other inmate Such Protections request by Plaintiff was denied on January 5, 2012 by J.L. Norwood

Regional Director for the Federal Bureau of Prisons. The Plaintiff since has been the real target of Rap - Assaults - Retaliations - inappropriate cell assignment which led to tow other inmates Raping Plaintiff. Punishing Plaintiff in a unconstitudional way by Placing Plaintiff in full ambulatory Restraints in a cell with some one else blood and fecesis on the walls. The Restraints be on so tight that they cut through the skin This order by the Defendant warder B.A.Bledsoe. The Plaintiff would like to respectfully show the court the following facts. ON 2-9-2012 CORRectional officer J.Rummel and correctional officer M.C. Houser came to Plaintiff assign cell at USP Lewisburg in J-unit on the first floor. Plaintiff would like to respectfully ask the court to please seek the institutional vicon net camera video as evidence to suppord Plaintiff allegations on 2-9-2012. To take Plaintiff to the unit lawlibrary. Once Plaintiff was inside the unit lawlibrary room. Plaintiff respectfully handed correctional officer J. Rummel a inmate request to staff inregards to Plaintiff being rap by his hostile cellmate inmate Rakman Auliyan Reg.No.#43430-083. Correctional officer J. Rummel Reaed what I just reported to him by the way of a inmate request to staff and correctional officer J. Rummel said in a very disrespectful manner you are taking your ass back in there with your bitch. Lieutenant C. Scampone came to J-unit to conduct a restraints check on another inmate who was also housed in J-unit. Once both Lieutenant C. Scampone and correctional officer J. Rummel return to the lawlibrary room where Plaintiff was at. Lieutenan C. Scampone order for Plaintiff to submitt to hand restraints so he can come inside the lawlibrary to talk to me to find out why I dont want to return to my assign cell. I the Plaintiff ask Lieutenant C. Scampone can he please say what he just order for me to do loud enough so that other inmate can hear him and be a witness if necessary. Which he did. The next thing I notice I the Plaintiff was being hit in the face and raged by Lieutenant C. Scampone and correctional officer J. Rummel. The Plaintiff was raged in the hallway of the unit inattempt to be force back into the same cell where Plaintiff just reported that his hostile cellmate inmate Rakman Auliyan raped him. Correctional officer M.C. Houser had already place my hostile cellmate Rakman Auliyan in hand restraints. Please let the record reflect if the other inmates didnt kick on their assign cell door inattempt to get the officer to stop there assault. Plaintiff would have been killed that night from Lieutenant

Facts

C. Scampone and correctional officer J. Rummel vicously raging and hiting me. Staff assistance was called to the unit. where other officer's hold me on the floor and escorted Plaintiff to the shower where staff remove all of Plaintiff clothing Plaintiff was than place in paper pants and T-shirt place in full ambulatory restraints and escorted Plaintiff to D-unit cell 101 with Blood semen on the wall and feceses fluids on the bed. Minutis after Plaintiff was inside D-unit cell 101 Lieutenant C. Scampone showed up in D-unit and order for officer Johnson to open cell 101 where the Plaintiff was assign. Once Lieutenant C. Scampone was inside the cell Lieutenant C. Scampone order for the Plaintiff to stand up and face him. and Lieutenant C. Scampone said let me see your face bitch and he hit Plaintiff on his ASS. and said you going to be my prison bitch. Some unknown correctional officer came in stood in the door way. Lieutenant C. Scampone and correctional officer J. Rummel both wrote incident report on Plaintiff for assaulting them to justify there wrong doing and there assault on Plaintiff. The Plaintiff was not examine by any one from the federal Bureau of Prisons medical Department for the sexual Assault that Plaintiff reported to correctional officer J. Rummel. Nor was Plaintiff examine from the assault that took place at the hands of the Federal Bureau of Prison staff Lieutenant C. Scampone and correctional officer J. Rummel. On or about 2-13-2012 Plaintiff reported to defendant J. Hemphill that I was Rap and I had blood coming out my ASS and showed him the Blood in me Wwere Defendant J. Hemphill said to Plaintiff you will be alright you need to stop taking the big ones. The Plaintiff need protection from all Prison staff and other inmates Because of Plaintiff sexual Preference and Plaintiff exercing his constitutional right. Prison officials has continue to put Plaintiff life in serious danger, By placing Plaintiff in the cell with hostile cellmate knowing Plaintiff sexual preference Gangmember do not want to cell with plaintiff because of his sexual preference and when Prison officials dont move Plaintiff the othe inmate get upset and Assault Plaintiff Rap Plaintiff. When Plaintiff has request a cell exchange or move for his safety concern, defendants D. Brewer and defendants M. Hess refuse

(4)

FACTS

TO Always move Plaintiff no matter who Plaintiff is in the cell with. Defendants D Brewer experss to Plaintiff on or about 2-7-2012 the only how he would move Plaintiff if Plaintiff get place in full restraints. ON or about 6-20-2011 Plaintiff was rap and was not allow to move to another cell. Plaintiff reported such act to a staff member who move Plaintiff to another cell. Becaues Plaintiff continue to report such behavior to staff other inmates who has knowdedge of the rap consider Plaintiff to be a rad which jeopardizes the safety of Plaintiff. On 2-9-2012 report another rap which also put Plaintiff life in danger. Becaues Plaintiff has file a complaint against a number of the Defendants Prison officials do nt have problem with continue to Assault Plaintiff and allowing other inmates to Assault Plaintiff.

CONCLUSION

If the court of the middle District of Pennsylvania dont grate a restraining order. The Plaintiff can be seriously hurt or even killed due to Prison officials misusing there Authoridh as Federal Bureau of Prisons employees to seriously punish Retaliate Harrass RAP Assault Kill Plaintiff. By not by one of the defendants by one of the other inmates for Reporting the sexual Assual or for filing on the defendants. Wherefore a temporary Restraining order should be Grated in order to seriously protect plaintiff from futher Assaults by the Defendants in this case and to prevent other correctional officer such as Lieutenan C. Scampone and correctional officer J. Rummel officer mic. Houser to get away with hurting Plaintiff and justifing it..

Date 2-27-2012

Case No. 3:12-CV-242

Michael Hammond
Reg. No. 43430083
USP Lewisburg
P.O. Box 1000
Lewisburg PA 17837

Michael Hammond

Evidence (D)

HAMMOND, Michael
Reg. No. 43430-083
Appeal No. 661590-R4
Page One

Part B - Response

In your appeal, you contend medical staff at USP Lewisburg improperly discontinued your prescribed pain medication Gabapentin. You deny misusing your medication and question why you have not been assigned to a lower bunk since you are a diabetic. You claim you feel threatened by staff and request to be protected from specific staff members at USP Lewisburg. You also request your prescription for Gabapentin be renewed.

A review of your appeal reveals the Warden adequately explained why your prescription Gabapentin was discontinued. However, you were prescribed another pain medication for your medical condition (Meloxicam 7.5 mg tablets.). Your condition will continue to be monitored and treated by your Primary Care Provider (PCP), and you continue to have access to sick call with your concerns. Medical staff advise you are receiving appropriate medical treatment.

While you are currently assigned to a lower bunk, you did not raise this issue in your initial complaint to the Warden. If you believe you need a permanent lower bunk pass, address this issue with your PCP. In addition, if you have a specific safety concern, you must advise your Unit Team. Accordingly, your appeal is denied.

If you are dissatisfied with this response, you may appeal to the General Counsel, Federal Bureau of Prisons. Your appeal must be received in the Administrative Remedy Section, Office of General Counsel, Federal Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534, within 30 calendar days of the date of this response.

Date: January 5, 2012

J. L. NORWOOD
Regional Director

Evidence ...

BP-S288.052 **INCIDENT REPORT** CDFRM
MAY 1994
U.S. DEPARTMENT OF JUSTICE IR# 2264164 **FEDERAL BUREAU OF PRISONS**

1. Name Of Institution: USP Lewisburg

Part I - Incident Report

2. Name Of Inmate	3. Register Number	4. Date Of Incident	5. Time
Hammond, Michael	**43430-083**	**February 09, 2012**	**6:22 p.m.**

6. Place Of Incident	7. Assignment	8. Unit
J-Block First Floor Range next to Law Library	**Unassigned**	**J-Block**

9. Incident: **Attempted Assault** **Code: 224 (a)**

11. Description Of Incident (Date: **02-09-12** Time: **6:22 p.m.** (Staff become aware of incident)

On February 09, 2012 at 6:23 p.m., I was assisting escorting inmate Hammond, Michael register number 43430-083 from the Law Library back to his assigned cell in J-Block, when he became combative with myself and officer Rummel. Specifically he attempted to assault me by kicking me. Inmate Hammond was placed on the ground and additional staff was summoned on the radio to assist with this combative inmate.

12. Signature Of Reporting Employee	Date And Time	13. Name And Title (Printed)
[signature]	02-09-12 7:00 p.m.	**C. Scampone** **Lieutenant**

14. Incident Report Delivered To Above Inmate By	15. Date Incident Report Delivered	16. time Incident Report Delivered
R. Rap	2-9-12	1905

Part II - Committee Action

17. Comments Of Inmate To Committee Regarding Above Incident

18. A. It Is The Finding Of The Committee That You:	B. ______ The Committee Is Referring The Charge(s) To The DHO For Further Hearing.
______ Committed The Following Prohibited Act.	C. ______ The Committee Advised The Inmate Of Its Finding And Of The Right To File An Appeal Within 15 Calendar Days.
______ Did Not Commit A Prohibited Act.	

19. Committee Decision Is Based On The Following Information

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act)

21. Date And Time Of Action ____________ (The UDC Chairman's Signature Next To His Name Certifies Who Sat On The UDC And That The Completed Report Accurately Reflects The UDC Proceedings.)

Chairman (Typed Name/signature)	Member (Typed Name)	Member (Typed Name)

Record Copy - Central File Record; Copy - DHO; Copy - Inmate After UDC Action; Copy - Inmate Within 24 Hours Of Part I Preparation
(This Form May Be Replicated Via WP) Replaces BP-288(52) Of Jan 88

BP-S288.052 INCIDENT REPORT CDFRM Evidence(10) MAY 1994
U.S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF PRISONS

1. Name Of Institution: USP **LEWISBURG**

Part I - Incident Report

2. Name Of Inmate Hammond, Michael	3. Register Number 43430-083	4. Date Of Incident 02-9-2012	5. Time 6:23 PM
6. Place Of Incident J - BLOCK FIRST FLOOR RANGE	7. Assignment UNASSIGNED	8. Unit J-Block	

9. Incident: 224- Assaulting any person

11. Description Of Incident (Date: 02/09/2012 Time: **6:23 PM** .Staff become aware of incident)

On the above date and time this officer was escorting Inmate Hammond (43430-083) from the law library back to Cell 108 at which time he became assaultive and combative by kicking me in the lower left appendage with his lower left appendage. I placed Inmate Hammond (43430-083) on the floor with minimal force in order to maintain control and prevent any injuries from occurring to myself or other staff. Assistance was called and this officer maintained control of Inmate Hammond (43430-083) until enough staff responded. I have no injuries at this time.

12. Signature Of Reporting Employee [signature]	Date And Time 02-09-2012 6:50pm	13. Name And Title (Printed) J. Rummel Correction Officer
14. Incident Report Delivered To Above Inmate By P. Boal [signature]	15. Date Incident Report Delivered 2-9-12	16.time Incident Report Delivered 1905

Part II - Committee Action

17. Comments Of Inmate To Committee Regarding Above Incident

18. A. It Is The Finding Of The Committee That You: _____ Committed The Following Prohibited Act. _____ Did Not Commit A Prohibited Act.	B. _____ The Committee Is Referring The Charge(s) To The DHO For Further Hearing. C. _____ The Committee Advised The Inmate Of Its Finding And Of The Right To File An Appeal Within 15 Calendar Days.

19. Committee Decision Is Based On The Following Information

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act)

21. Date And Time Of Action ____________________ (The UDC Chairman's Signature Next To His Name Certifies Who Sat On The UDC And That The Completed Report Accurately Reflects The UDC Proceedings.)

____________________ Chairman (Typed Name/signature) ____________________ Member (Typed Name) ____________________ Member (Typed Name)

Record Copy - Central File Record; Copy - DHO; Copy - Inmate After UDC Action; Copy - Inmate Within 24 Hours Of Part I Preparation
(This Form May Be Replicated Via WP) Replaces BP-288(52) Of Jan 88

WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND URBAN AFFAIRS

February 17, 2012

LEGAL MAIL:
SPECIAL MAIL: Do Not Open Except in Inmate's Presence
Mr. Michael Hammond 43430-083
USP Lewisburg
P.O. Box 1000
Lewisburg, PA 17837

Dear Mr. Hammond:

I received your letter of February 12, 2012. I am so sorry to hear about the circumstances you are in and how badly you are feeling. You are not to blame for what happened, and you are not alone. I encourage you to stay strong and not take your own life, no matter how bad you feel right now.

By now you know that I spoke with Dave Sprout at the Lewisburg Prison Project and arranged to have him come see you. By now, also, you may have talked directly with me on the phone.

I want to clarify a few things that were confusing for me in the letter. I could not tell from what you wrote if you filed a complaint about the rape. You said that you wrote to the warden and the BOP director in a sensitive grievance "trying to move." But, I was not sure if you told anyone that you were raped.

If you have not already done so, you should immediately file a BP-10 to the regional office, labeled as a "Sensitive" grievance to tell them about the rape. Understand, if you do that, it may still take a few days or even weeks for someone officially to respond. The purpose of the Sensitive grievance is to help you avoid some of the challenges you are facing with people either not believing you or using the information against you. That being said, you should be prepared to have to tell someone in authority about the rape. If you feel you are strong enough to do so, I would advise you to tell at least medical staff, but possibly also a captain or AW.

In addition, if you need medical or psychological attention, the medical and psychological staff at Lewisburg has a professional obligation to keep your information private. I would recommend sending a Request to Staff form ("Cop-Out") to the medical director or chief psychologist asking for a consultation about a sexual assault.

Enclosed are some additional resources from an organization called Just Detention International. JDI's main role is to prevent and end rape in prison. The resources are very good. Take your time reading through them and thinking about them. If you feel that you need extra help emotionally, you should contact them for suggestions. Our office is also here for you with advice on how to protect your legal rights.

11 Dupont Circle, NW Suite 400 ▪ Washington, DC 20036 ▪ Telephone: 202-319-1000 ▪ Facsimile: 202-319-1010 ▪ washlaw.org
(202) 775-0323 CLIENT LINE- COLLECT CALLS ACCEPTED

I need to have you clarify for me what exactly you would like us to help you with. I was not sure if I had your permission to tell someone that you had been raped, so I did not tell anyone other than the attorneys I work with and Mr. Sprout because he will come to see you. I have not told anyone at the BOP about the situation. I will not do that until I speak with you and get your consent.

Enclosed are your original documents. Let me know when you go up for your DHO hearing on this. You should appeal any negative outcome of the DHO hearing.

I hope this is helpful to you.

Sincerely,

Ivy Finkenstadt

Ivy Finkenstadt,
Attorney at Law

Enclosures: originals, JDI resources

Dear United States Magistrate Judge S/Martin C. Carlson

My name is michael Hammond, I am a Federal Bureau of Prisons inmate. House at the united states Penitentiary Lewisburg I am fully aweer my civil case has not being Review on. I feer that prison officials are trying to kill me by the last assault just took place I do not want to die at the the hands of these Prison officials or another inmate. I have wrote the Washington Lawyer's committee and enclosed is there letter to me. I just want you to know or read it coming someone else on the side what is happened to me and other inmate. Sometime I get to the point that I want to take my owe life becaues the constidution it self dont prevent rap or protect homosexual inmate such as myself. I dont know what else to do but ask the court for protection. Right now I am a shame of what I have become. I feel so nasty from other people condinue to put there hands on me. No in prison dont mean anything. I say No and they will not stop. You report a rap or assault and staff dont believe you and get mad at you and they assault you. I dont know what else to do. I can not sleep becaues I think they coming to hurt me. An inmate cut his self the other day becaues he did not want to be in the cell with me or feer his homeboy or gang member was going to do something to him. My mind and body is alot of pain Right now. I hope you can understand my writing. Thank you for Reading my letter

Michael Hammond
43430083
Case No. 3:12-CV-242
Date 2-27-2012

Inmate Name: Michael Hammond
Register Number: 43430 083
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837 J.H. 02.27.12

RECEIVED SCRANTON

LEGAL Mail

FEB 2 9 2012

PER ______ DEPUTY CLERK

HARRISBURG PA 170 PM 29 FEB 2012

USA FIRST-CLASS FOREVER 2011

USA FIRST-CLASS FOREVER 2011

TO: Office of The Clerk
United States District Court
Middle District of Pennsylvania
William J. Nealon Federal BLDG. and U.S. COURT House
235 North Washington AVENUE
P.O. Box 1148
SCRANTON, PA 18501-1148

18501$1148